

**MINUTES OF THE REGULAR MEETING OF THE
BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF JASPER
OCTOBER 26, 2004**

The Board of Public Works and Safety of the City of Jasper, Indiana, met in regular session on Tuesday, October 26, 2004 in the Council Chambers of City Hall located at 610 Main Street.

CALL TO ORDER

Mayor William J. Schmitt who presided called the meeting to order at 8:00 a.m.

ROLL CALL

Mayor William J. Schmitt	present
Board member Victor J. Knies	present
Board member Thomas R. Schmidt	present

Also present were Police Chief Richard Gunselman, Personnel/Safety Director Charles Schneider, Building Commissioner David Seger, Street Commissioner Raymond Eckerle, Fire Chief Kenneth Hochgesang, City Engineer Chad Hurm, City Attorney Sandra Hemmerlein, and Clerk-Treasurer Juanita Boehm.

Clerk-Treasurer Juanita Boehm announced that a majority of the board members must be present for a quorum. All three board members were present, therefore, there was a quorum for the meeting.

PLEDGE OF ALLEGIANCE

Mayor Schmitt invited all present to join him in the Pledge of Allegiance.

APPROVAL OF THE MINUTES

The board members examined the minutes of the regular meeting held on October 12, 2004. A **motion** was made by Victor Knies and seconded by Thomas Schmidt to approve the minutes as presented. Motion carried 3-0.

FILL DIRT – LOT ON THIRD AVENUE

Mike Schmitt, Mike Schmitt Enterprises, requested permission to elevate a low-lying lot along Third Avenue with approximately 6' of fill dirt in hopes of increasing interest in the lot for a possible sale. He said the property is southeast of St. Vincent de Paul and Jasper Discount Furniture. He said there was a sanitary sewer line on the lot that would need to be raised if fill dirt would be added. He said barriers would be placed to control runoff while the job is in process.

During discussion Victor Knies was concerned about covering up the sewer line, which might hamper access to the line if maintenance is ever needed. City Attorney Sandy Hemmerlein suggested that Waste Water Manager Tom Lents review the plans with Mr. Schmitt. Street Commissioner Raymie Eckerle reported that there was a single plastic wall storm sewer on the property that is not built to City standards for carrying water. Eckerle recommended abandoning and filling in this storm sewer.

A **motion** was made by Victor Knies and seconded by Thomas Schmidt to approve the request of Mike Schmitt Enterprises to place fill dirt on his property

along Third Avenue provided it is approved by the Waste Water Department and that the old storm sewer that runs parallel to the road is filled in and closed. **Motion** passed 3-0.

HOMEOWNERS DITCH AND PIPE INSTALLATION

Street Commissioner Raymie Eckerle reported that historically if a homeowner wanted to close in an open ditch, the homeowner purchased the drainage pipe and the street department installed the pipe and built inlet boxes. Due to the present workload at the street department and the need for maintaining existing structures, Eckerle recommended that if a homeowner wants to close in an open ditch they contact the City for its specifications and install the pipe accordingly. If the homeowner installs the pipe to City specifications, the City will then take it over for maintenance. Eckerle reported that currently there is a long list of requests for ditch closings and feels the City should honor those requests and not make any more future commitments. Mayor Schmitt recommended placing a moratorium on accepting any new requests from homeowners for ditch closings until the street department addresses previous requests. Such a moratorium would allow the street department more time to maintain the existing infrastructure.

A **motion** was made by Thomas Schmidt and seconded by Victor Knies to put a moratorium and amend the policy where the homeowners would pay for the pipe and the street department would install it until such time as promised requests are caught up and existing infrastructures on storm sewers have been taken care of. **Motion** passed 3-0.

CURBSIDE LEAF PICKUP

Street Commissioner Raymie Eckerle announced that the curbside leaf pickup schedule that coincides with the trash collection schedule begins Monday, November 1, 2004.

BACKFILL AND RESURFACING ORDINANCE

Street Commissioner Raymie Eckerle presented suggested changes for Jasper Code 13.20.050, Excavations in Public Streets – Backfill and Resurfacing to be effective January 1, 2005. (See Exhibit A). Eckerle reported that the City of Jasper has been working on this issue with the City of Huntingburg and Dubois County. He also recommended making these changes before the City works on updating its existing ordinance regarding Street Standards. There followed some discussion. Victor Knies suggested specific materials for the Flowable Fill mix rather than mentioning specific company names. He was concerned that there would be a problem if the companies changed hands. Eckerle responded that each company makes the mix slightly different and that no specifics could be obtained. City Attorney Sandra Hemmerlein suggested that the ordinance be written in such a way that units for an approved mix are kept on file in the City Engineer's office and at the street department.

A **motion** was made by Victor Knies and seconded by Thomas Schmidt to approve the changes to Jasper Code 13.20.050 under the guidance of the City Attorney.

Before voting on the measure, Mayor Schmitt requested the changes be tabled until the next Board of Public Works and Safety meeting so that the board would have the ordinance in front of them on what was really being passed and not leave the recommendations to the City Attorney or anybody else. The Mayor thought the brand names should be taken out and specifics for approved mixes be kept on file. City Attorney Hemmerlein stated that tabling the changes would give the department heads time to review the ordinance. The **motion** was then defeated 0-3.

Thereafter, a **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to table the changes to Jasper Code 13.20.050 until the wording is acceptable and the brand names are removed. **Motion** passed 3-0.

MERIDIAN ROAD EAST

Mayor Schmitt reported that at the September 24, 2004 Board of Public Works and Safety meeting, Street Commissioner Raymond Eckerle recommended some traffic control changes for the Meridian Road area. Two of the twelve recommendations were as follows:

- (1) One-way stop at Meridian Road and Maplecrest Blvd.
- (2) One-way stop at (new street name) and Maplecrest Blvd.

Because the street that needed to be renamed is currently known as East Meridian Road, both recommendations in the September 24, 2004 minutes were inadvertently listed as (2) One-way stop at (new street name) and Maplecrest Blvd. and the motions were made accordingly.

A proposed stop intersection where the section of Maplecrest Blvd (formerly Meridian Road) will connect to the relocated Meridian Road (1) was actually recommended by Eckerle. Therefore, the board needs to make the following correct motion:

To recommend to the Council to make Maplecrest Blvd. at Meridian Road a one-way stop intersection.

City Engineer Chad Hurm presented a map of the area and City Attorney Sandra Hemmerlein explained that the minutes were not clear and that this was just a clarification of what had already been done.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to recommend to the Council to make Maplecrest Blvd. at Meridian Road a one-way stop intersection. **Motion** passed 3-0.

STOP INTERSECTION – 41ST STREET & BADEN STRASSE

Police Chief Richard Gunselman reported that a resident at 4122 Baden Strasse had requested a three-way stop at 41st Street and Baden Strasse. He requested board members view the intersection and he would bring a recommendation to the next Board of Public Works and Safety meeting.

POLICE OFFICER INTERVIEWS

Police Chief Richard Gunselman requested the board be available to interview the remaining applicants for a probationary police officer on December 7, 2004. He reported that Officer Jerry Willis had been approved by PERF for disability and that Assistant Police Chief Kirk Smith would be retiring in January 2005.

DRAINAGE TRENCH – NORTHRIDGE SHOPPING CENTER

Building Commissioner David Seger reported that he had met with Carney Jasper LLC to discuss installing a trench drain under the driveway in the Northridge Shopping Center. He stated that the company would install the trench drain within the next two weeks. He explained that this matter had been discussed at the last Board of Public Works and Safety meeting and would help with storm water drainage in the 42nd Street and Baden Strasse area.

716 E. 12TH STREET

Building Commissioner David Seger reported that he would start proceedings this week to condemn the Dennis Burgdorf property at 716 E. 12th Street. He also reported that the property would go up for tax sale on Friday, October 29, 2004. He said that there were a lot of people involved with the property inspection and that letters to the appropriate people would be in the mail before the tax sale on Friday.

MILL STREET EXTENSION AND COUNTY ROAD 400 NORTH RECONSTRUCTION PROJECT

City Engineer Chad Hurm reported that the Mill Street Extension Project is estimated to be completed by the first or second week of November.

Hurm then presented Change Order No. 5 for the Mill Street Extension and County Road 400 North Reconstruction. He explained that there would be a total decrease of \$14,580.66. He said the change is required due to Corp of Engineers and Indiana Department of Natural Resources requirements for Wetlands Restoration and soil conditions. Hurm reported that the Dubois County Commissioners had approved the Change Order on October 18, 2004 and requested concurrence from the Board of Public Works and Safety.

A **motion** was made by Mayor Schmitt and seconded by Victor Knies to concur with the Dubois County Commissioners concerning Change Order No. 5 for a decrease of \$14,580.66 for the Mill Street Extension and County Road 400 North Reconstruction Project. **Motion** passed 3-0.

Hurm also presented a draft letter from the Board of Public Works and Safety to the County Engineer and the County Commissioners stating that the City of Jasper concurred with Change Orders Nos. 1-5 concerning the Mill Street Extension and County Road 400 North Reconstruction Project. He said this was basically a matter of documentation.

PORTERSVILLE ROAD RELOCATION PROJECT

City Engineer Chad Hurm presented Change Order No. 3 in conjunction with the Portersville Road Relocation Project. He explained that an additional amount of \$6,784 would be incurred because of the additional footage for a Pedestrian Path.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve Change Order No. 3 in conjunction with the Portersville Road Relocation Project in the additional amount of \$6,784. **Motion** passed 3-0.

EASEMENTS

City Attorney Sandy Hemmerlein presented the following easements for acceptance and approval:

Grant of Permanent Gas Utility Easement

Gerald A. Gettelfinger, as Bishop of the Catholic Diocese of Evansville, Indiana - SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of S27, T1S, R5W

Grant of an All Purpose Permanent Utility Easement

Brad A. and Jill S. Thomas – SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of S27, T1S, R5W

A **motion** was made by Mayor Schmitt and seconded by Victor Knies to approve and accept the easements as listed above. **Motion** passed 3-0.

ADJOURNMENT

There being no further business to come before the board, a **motion** was made by Victor Knies and seconded by Thomas Schmidt to adjourn the meeting. The motion carried 3-0 and the meeting adjourned at 9:14 a.m.

Mayor William J. Schmitt
Presiding Officer

Attest:

Juanita S. Boehm, Clerk-Treasurer

Cynthia Kluemper, Recording Secretary